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STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

**0** Assumption of Executory Contract or Unexpired Lease

Last revised: September 1, 2018

0 Lien Avoidance

# UNITED STATES BANKRUPTCY COURT District of New Jersey

In Re:	Susan C Fraczkiewicz  Debtor(s)		Case No.: Judge:	18-15793		
			22292			
	CHAPTER 13 PLAN AND MOTIONS - AMENDED					
☐ Original☐ Motions	Included	■ Modified/Notice Require □ Modified/No Notice Red	Ju	Date:		
		DEBTOR HAS FILED FO PTER 13 OF THE BANK	_			

### YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

#### THIS PLAN:

- DOES □ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.
- □ DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.
- ☐ DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

# 

Initial Debtor(s)' Attorney _	Initial Debtor:	SCF Initi	al Co-Debtor
Part 1: Payment and Len	th of Plan		
a. The debtor shall <u>60</u> months.	pay <u>443.00 Monthly*</u> to the C	Chapter 13 Trustee, star	ting on for approximately
■ Futur	make plan payments to the T e Earnings sources of funding (describe		g sources: ate when funds are available):
□ Sale Desc	rty to satisfy plan obligations of real property iption: sed date for completion:	S: 	
Desc	ance of real property: iption: sed date for completion:		
Desc	modification with respect to injustion: sed date for completion:	mortgage encumbering	property:
loan	egular monthly mortgage par nodification.		-
e. □ Othe	information that may be imp	portant relating to the pa	yment and length of plan:
Part 2: Adequate Protect	on	X NONE	
	ion payments will be made in confirmation to (creditor)		be paid to the Chapter 13
	ion payments will be made in ore-confirmation to: (cre		be paid directly by the
Part 3: Priority Claims (Ir	cluding Administrative Ex	penses)	
a. All allowed priority cla	ims will be paid in full unless	s the creditor agrees oth	erwise:
Creditor	Type of Priorit		Amount to be Paid
candyce smith-sklar Heritage Crossing condo Asso	Attorney Fee	es ertain other debts	1,800.00 1,240.83
b. Domestic Support Ob Check one: ■ None	1	-	nd paid less than full amount:

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assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor Type of Priority Claim Amount Amount to be Paid

### Part 4: Secured Claims

### a. Curing Default and Maintaining Payments on Principal Residence: ■ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Interest Amount to be Paid Regular Monthly Rate on to Creditor (In Payment (Outside

Creditor Collateral or Type of Debt Arrearage Arrearage Plan) Plan)

### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ■ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Interest Amount to be Paid Regular Monthly Rate on to Creditor (In Payment (Outside

Creditor Collateral or Type of Debt Arrearage Arrearage Plan) Plan)

### c. Secured claims excluded from 11 U.S.C. 506: ■ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Total to be Paid through the Plan
Amount of Including Interest Calculation

Name of Creditor Collateral Interest Rate Claim

### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ■ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

## NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Value of Annual Total Total Creditor Scheduled Collateral Superior Interest Amount to Interest in Creditor Collateral Debt Value Liens Rate Be Paid Collateral

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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.				
e. Surrender ■ NONE  Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:				
Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt	
f. Secured Claims Unaffected by the Plan □ NONE  The following secured claims are unaffected by the Plan:  Creditor Central Loan Admin & R				
Creditor	d in Full Through the Plan  Collateral		be Paid through the Plan	
Capital One Auto Finance	2011 Kia Forte 99,107 miles Capital One Auto 172/month		3,228.00	
Part 5: Unsecured Claims	NONE			
a. <b>Not separately classified</b> allowed non-priority unsecured claims shall be paid:  □ Not less than \$ to be distributed <i>pro rata</i>				
□ Not less	than percent			
■ Pro Rat	a distribution from any remaining fu	inds		
	ied unsecured claims shall be trea	ted as follows:		
Creditor	Basis for Separate Classification	Treatment	Amount to be Paid	
Part 6: Executory Contracts	and Unexpired Leases X No	ONE		
(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)  All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:				
Creditor Arrears to be Cu	red in Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment	
1 1011				
Part 7: Motions X NONE				

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be

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filed with the Clerk of Court when the plan and transmittal notice are served.

### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Sum of All Amount of Other Liens

Nature of Value of Claimed Against the Amount of Lien Creditor Collateral Type of Lien Amount of Lien Collateral Exemption Property to be Avoided

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Value of
Creditor's Total Amount of
Scheduled Total Collateral Interest in Lien to be
Creditor Collateral Debt Value Superior Liens Collateral Reclassified

### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Amount to be
Total Collateral Amount to be Deemed Reclassified as
Creditor Collateral Scheduled Debt Value Secured Unsecured

### Part 8: Other Plan Provisions

- a. Vesting of Property of the Estate
  - Upon Confirmation
  - □ Upon Discharge

#### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

### c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

### d. Post-Petition Claims

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The Standing Trustee  $\square$  is,  $\blacksquare$  is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE	
If this Plan modifies a Plan previously filed in this Date of Plan being modified:.	s case, complete the information below.
Explain below <b>why</b> the plan is being modified:	Explain below <b>how</b> the plan is being modified:
Modified plan to remove pre-petition mortgage arrears since debtor received a loan modification	Plan modified to remove pre-petition mortgage arrears since debtor received a loan modification.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes

### Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

□ NONE

■ Explain here:

\*This plan is a step plan or has lumpsum payments as follows: \$443.00 per month for 28 months, then \$169.00 per month for 32 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

### Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: July 8, 2020	/s/ Susan C Fraczkiewicz
	Susan C Fraczkiewicz
	Debtor
Date:	
	Joint Debtor
Date July 8, 2020	/s/ candyce smith-sklar
	candyce smith-sklar
	Attorney for the Debtor(s)

No

# Case 18-15793-MBK Doc 61 Filed 07/10/20 Entered 07/11/20 00:27:26 Desc Imaged Certificate of Notice Page 7 of 8 United States Bankruptcy Court District of New Jersey

In re: Susan C. Fraczkiewicz Debtor

Case No. 18-15793-MBK Chapter 13

### **CERTIFICATE OF NOTICE**

User: admin
Form ID: pdf901 Page 1 of 2 Total Noticed: 43 District/off: 0312-3 Date Rcvd: Jul 08, 2020

Notice by firs	st class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Jul 10, 2020.	
db	+Susan C. Fraczkiewicz, 449 Silvia Street, Trenton, NJ 08628-3235
aty	+KML Group, P.C., 216 Haddon Avenue, Suite 406, Westmont, NJ 08108-2812
lm cr	+Cenlar Mortgage, PO Box 77404, Ewing, NJ 08628-6404 +Heritage Crossing Condominium, Ansell Grimm & Aaron, 214 Carnegie Center, Ste. 112,
CI	Princeton, NJ 08540-6237
lm	+Shellpoint Mortgage Servicing, PO Box 619063, Dallas, TX 75261-9063
517408769	+Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540
517487669	Credit First NA, PO Box 818011, Cleveland, OH 44181-8011
517408775	+Credit First National Assoc, Attn: BK Credit Operations, Po Box 81315, Cleveland, OH 44181-0315
517408777	+Credit Union Of N J, Po Box 7921, Ewing, NJ 08628-0921
517408778	+First National Credit Card/Legacy, First National Credit Card, Po Box 5097,
	Sioux Falls, SD 57117-5097
517408779	+First Svgs Bk-blaze, Po Box 5096, Sioux Falls, SD 57117-5096
517408780	+Guidotti v. Legal Helpers Debt Resolutio, c/o Settlement Administrator, PO Box 404017, Louisville, KY 40233-4017
517519296	+Heritage Crossing Condominium Association, Inc., c/o Richard B. Linderman, Esquire,
31,01,11	Ansell Grimm & Aaron PC, 214 Carnegie Center, Ste. 112, Princeton, NJ 08540-6237
517408781	+Heritage Crossing condo Assoc, c/o Access Property Management,
	4 Walter E. Foran Blvd. STE 311, Flemington, NJ 08822-4668
517408782	+HomeBridge Financial Serv., Inc./Cenlar, c/o KML Law Group, P.C.,
517571498	216 Haddon Avenue, Ste 406, Collingswood, NJ 08108-2812 +HomeBridge Financial Services, Inc., c/o Cenlar FSB, 425 Phillips Blvd,
51,5,11,0	Ewing, NJ 08618-1430
517408785	+Mobiloansllc, P.O. Box 1409, Marksville, LA 71351-1409
517938157	+New Penn Financial, LLC, Shellpoint Mortgage Servicing, P.O. Box 10826,
E1700E212	Greenville, SC 29603-0826 New Penn Financial, LLC d/b/a Shellpoint Mortgage, P.O. Box 10675,
517885313	Greenville, SC 29603-0675
517885314	New Penn Financial, LLC d/b/a Shellpoint Mortgage, P.O. Box 10675,
	Greenville, SC 29603-0675, New Penn Financial, LLC d/b/a Shellpoint, P.O. Box 10675,
	Greenville, SC 29603-0675
517408791	+Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657
Notice by elec	ctronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smq	E-mail/Text: usanj.njbankr@usdoj.gov Jul 09 2020 00:48:52 U.S. Attorney, 970 Broad St.,
5	Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 09 2020 00:48:50 United States Trustee,
	Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
517408771	Newark, NJ 07102-5235 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 09 2020 00:40:24 Capital One,
317100771	Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
517408772	+E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Jul 09 2020 00:41:55
	Capital One Auto Finance, Attn: General Correspondence/Bankruptcy, Po Box 30285,
E17404E64	Salt Lake City, UT 84130-0285
517424564	+E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 09 2020 00:43:02 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,
	Oklahoma City, OK 73118-7901
517424645	+E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 09 2020 00:43:02
	Capital One Auto Finance, a division of Capital On, AIS Portfolio Services, LP,
517408773	4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 09 2020 00:41:28 Cardworks/CW Nexus,
317400773	Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
517408774	+E-mail/Text: clientservices@credit-control.com Jul 09 2020 00:48:53 Central Loan Admin & R,
	425 Phillips Blvd, Ewing, NJ 08618-1430
517408776	+E-mail/PDF: creditonebknotifications@resurgent.com Jul 09 2020 00:43:06 Credit One Bank Na,
517568615	Po Box 98873, Las Vegas, NV 89193-8873 E-mail/PDF: resurgentbknotifications@resurgent.com Jul 09 2020 00:41:54
31/300013	LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,
	FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
517566228	E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 09 2020 00:42:50 MERRICK BANK,
517408783	Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368 E-mail/Text: ml-ebn@missionlane.com Jul 09 2020 00:47:54 Lendup/tab Bank, 225 Bush St,
31/400/03	E-mail/Text: ml-ebn@missionlane.com Jul 09 2020 00:47:54 Lendup/tab Bank, 225 Bush St, San Francisco, CA 94104
517408784	+E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 09 2020 00:40:18 Merrick Bank,
	P.O. Box 9201, Old Bethpage, NY 11804-9001
517524473	+E-mail/Text: bankruptcydpt@mcmcg.com Jul 09 2020 00:48:50 Midland Funding LLC,
517443121	PO Box 2011, Warren, MI 48090-2011 E-mail/PDF: cbp@onemainfinancial.com Jul 09 2020 00:41:32 ONEMAIN, PO BOX 3251,
71/442177	E-Mail/PDF: Copeonemaininancial.com Jul 09 2020 00:41:32 ONEMAIN, PO BOX 3251, EVANSVILLE, IN. 47731-3251
517408786	+E-mail/PDF: cbp@onemainfinancial.com Jul 09 2020 00:40:14 OneMain Financial,
	Attn: Bankruptcy Department, 601 Nw 2nd St #300, Evansville, IN 47708-1013
517682797	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 09 2020 00:41:51
	Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541

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District/off: 0312-3	User: admin	Page 2 of 2	Date Rcvd:	Jul 08	8,	2020
	Form ID: pdf901	Total Noticed: 43				

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued) 517682798 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 09 2020 00:40:38 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541, Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541 517408787 +E-mail/PDF: cbp@onemainfinancial.com Jul 09 2020 00:41:25 Springleaf Fin Srvcs F, 601 Nw 2nd St, Evansville, IN 47708-1013 +E-mail/PDF: gecsedi@recoverycorp.com Jul 09 2020 00:40:19 517408788 Synchrony Bank/ JC Penneys, Po Box 965060, Orlando, FL 32896-5060 Attn: Bankruptcy, +E-mail/PDF: gecsedi@recoverycorp.com Jul 09 2020 00:41:32 517408789 Synchrony Bank/ Old Navy, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060 +E-mail/PDF: gecsedi@recoverycorp.com Jul 09 2020 00:40:20 517408790 Synchrony Bank/Sams, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060 TOTAL: 22 \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\* New Penn Financial, LLC, Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0675, New Penn Financial, LLC, Shellpoint Mortgage Servicing 517938158 +Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011 517559597\* 517408770 ##+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012 TOTALS: 1, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank, P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 10, 2020 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 8, 2020 at the address(es) listed below: Albert Russo docs@russotrustee.com Candyce Ilene Smith-Sklar on behalf of Debtor Susan C. Fraczkiewicz mail@njpalaw.com, r56958@notify.bestcase.com Denise E. Carlon on behalf of Creditor HomeBridge Financial Services, Inc.

dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Denise E. Carlon on behalf of Loss Mitigation Cenlar Mortgage dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance

jschwartz@mesterschwartz.com

Heritage Crossing Condominium

Joseph Andrew Kutschman, III on behalt of created ecourts@cutolobarros.com ecourts@cutolobarros.com HomeBridge

Rebecca Ann Solarz on behalf of Creditor HomeBridge Financial Services, Inc. rsolarz@kmllawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8